



Rep. Sidney H. Mathias

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09400SB1883ham002

LRB094 10826 LCB 46788 a

1 AMENDMENT TO SENATE BILL 1883

2 AMENDMENT NO. _____. Amend Senate Bill 1883, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Attorney Act is amended by changing Section
6 1 as follows:

7 (705 ILCS 205/1) (from Ch. 13, par. 1)

8 Sec. 1. No person shall be permitted to practice as an
9 attorney or counselor at law within this State without having
10 previously obtained a license for that purpose from the Supreme
11 Court of this State.

12 No person shall receive any compensation directly or
13 indirectly for any legal services other than a regularly
14 licensed attorney, nor may an unlicensed person advertise or
15 hold himself or herself out to provide legal services.

16 A license, as provided for herein, constitutes the person
17 receiving the same an attorney and counselor at law, according
18 to the law and customs thereof, for and during his good
19 behavior in the practice and authorizes him to demand and
20 receive fees for any services which he may render as an
21 attorney and counselor at law in this State. No person shall be
22 granted a license or renewal authorized by this Act who has
23 defaulted on an educational loan guaranteed by the Illinois
24 Student Assistance Commission; however, a license or renewal

1 may be issued to the aforementioned persons who have
2 established a satisfactory repayment record as determined by
3 the Illinois Student Assistance Commission. No person shall be
4 granted a license or renewal authorized by this Act who is more
5 than 30 days delinquent in complying with a child support
6 order; a license or renewal may be issued, however, if the
7 person has established a satisfactory repayment record as
8 determined (i) by the Illinois Department of Public Aid for
9 cases being enforced under Article X of the Illinois Public Aid
10 Code or (ii) in all other cases by order of court or by written
11 agreement between the custodial parent and non-custodial
12 parent. No person shall be refused a license under this Act on
13 account of sex.

14 Any person practicing, charging or receiving fees for legal
15 services or advertising or holding himself or herself out to
16 provide legal services within this State, either directly or
17 indirectly, without being licensed to practice as herein
18 required, is guilty of contempt of court and shall be punished
19 accordingly, upon complaint being filed in any Circuit Court of
20 this State. Such proceedings shall be conducted in the Courts
21 of the respective counties where the alleged contempt has been
22 committed in the same manner as in cases of indirect contempt
23 and with the right of review by the parties thereto.

24 The provisions of this Act shall be in addition to other
25 remedies permitted by law and shall not be construed to deprive
26 courts of this State of their inherent right to punish for
27 contempt or to restrain the unauthorized practice of law.

28 Nothing in this Act shall be construed to conflict with,
29 amend, or modify Section 5 of the Corporation Practice of Law
30 Prohibition Act or prohibit representation of a party by a
31 person who is not an attorney in a proceeding before either
32 panel of the Illinois Labor Relations Board under the Illinois
33 Public Labor Relations Act, as now or hereafter amended, the
34 Illinois Educational Labor Relations Board under the Illinois

1 Educational Labor Relations Act, as now or hereafter amended,
2 the State Civil Service Commission, the local Civil Service
3 Commissions, or the University Civil Service Merit Board, to
4 the extent allowed pursuant to rules and regulations
5 promulgated by those Boards and Commissions or the giving of
6 information, training, or advocacy or assistance in any
7 meetings or administrative proceedings held pursuant to the
8 federal Individuals with Disabilities Education Act, the
9 federal Rehabilitation Act of 1973, the federal Americans with
10 Disabilities Act of 1990, or the federal Social Security Act,
11 to the extent allowed by those laws or the federal regulations
12 or State statutes implementing those laws.

13 (Source: P.A. 91-798, eff. 7-9-00.)".